

Notice of Allowability

Application No.

09/738,312

Examiner

YOUNG T. TSE

Applicant(s)

LEE ET AL.

Art Unit

2637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 2 July 2004.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☒ The drawings filed on 18 December 2000 and 24 September 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David A. Bilodeau on November 30, 2004.

The application has been amended as follows:

In claim 1, line 10, "modulated symbols" and "spread symbols" have been changed to "modulated DPSK symbols" and "a state signal", respectively.

In claim 3, line 6 and line 12, "DPSK symbols" and "a state signal" have been changed to "the PSK symbols" and "the state signal", respectively.

In claim 8, line 5 and line 12, "the state samples" and "state signals" have been changed to "state samples" and "state signal", respectively.

In claim 9, line 4, "generates at least" has been changed to "generates the at least"; line 7, "state samples" has been changed to "the state samples"; and line 8, "to DPSK symbols" and "modulated symbols" have been changed to "to the DPSK symbols" and "modulated DPSK symbols".

In claim 10, line 3, "generators" has been changed to "generator".

In claim 11, line 4, "output a" has been changed to "output"; line 6, "DPSK symbols" have been changed to "the PSK symbols"; and line 10, "generated" has been changed to "encoded".

In claim 12, line 4, "input" has been deleted and line 8 (both occurrences), "at least one" has been changed to "the at least one".

In claim 15, line 1, "12" has been changed to "13".

In claim 16, line 1, "15" has been changed to "9".

In claim 17, lines 3-4, "the DSA spreading section by the" has been changed to "the transmitter by"; line 7, "the" has been deleted; line 8, "a signal" has been changed to "the signal"; and line 9, "the unit" has been changed to "a unit".

In claim 19, line 6, "symbol" has been changed to "symbols".

In claim 20, line 1, "using" has been changed to "using a".

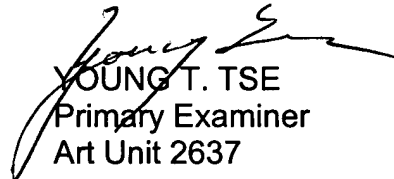
In claim 21, both line 4 and line 6, "sequence generator" has been changed to "main sequence generator" and line 11, "modulated symbols" has been changed to "modulated DPSK symbols".

In claim 22, line 8 and line 9, "a transmitter and receiver sequence generator" and "state sample values" have been changed to "transmitter and receiver sequence generators" and "the state sample values", respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOUNG T. TSE whose telephone number is (571) 272-3051. The examiner can normally be reached on Monday and Wednesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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Art Unit 2637